

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KLAUBER BROTHERS, INC.,

Plaintiff,

-against-

ASOS US, INC. and ASOS.COM
LTD.,

Defendants.

20 Civ. 3114 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

Having considered Plaintiff's letter (dkt. no. 36) and Defendants' letter (dkt. no. 37) of February 8, 2021, Plaintiff is hereby ordered to produce to Defendants copies of records sufficient to show:

- the royalty paid the last three times the lace designs that are at issue in this case were licensed; and
- the number of times the lace designs were licensed in the last five years.


If Plaintiff cannot produce these records, Plaintiff shall submit a detailed affidavit explaining why such records cannot be produced, including a fact-based estimate (with explanation) of what the license fee for the lace designs would have been.

Plaintiff shall also produce to Defendants their 10 most recent settlement agreements relating to the accused designs.

Within two weeks of Plaintiff certifying by letter their compliance with the production of documents ordered above, Defendants shall (1) produce to Plaintiff sales information for the accused products and (2) provide available dates for a mediation or a settlement conference.

SO ORDERED.

Dated: New York, New York
February 9, 2021



LORETTA A. PRESKA
Senior United States District Judge